

A Declaration of the House of Commons, touching a late Breach of their Priviledges; And for the Vindication thereof, and of divers Members of the said House.

WHereas the Chambers, Studies, and Truncks, of Master *Denzill Hollis*, Sir *Arthur Haslerigg*, Master *John Pym*, Master *John Hampden*, and Master *William Strode* Esquires, Members of the House of Commons, upon Munday the 3. of this instant *January*, by colour of His Majesties Warrant have been sealed up by Sir *William Killigrew*, and Sir *William Flemen*, and others, which is not only against the Priviledge of Parliament, but the Common Liberty of every Subject: Which said Members afterwards, the same day were under the like colour, by Serjeant *Francis*, one of His Majesties Serjeants at Arms, contrary to all former Presidents demanded of the Speaker sitting in the House of Commons, to be delivered unto him, that he might Arrest them of high Treason. And whereas; afterwards the next day His Majesty in His Royall Person, came to the said House attended with a great multitude of men armed in warlike manner, with Halberts, Swords, and Pistolls, who came up to the very door of the house, and placed themselves there, and in other places, and passages neer to the said house, to the great terrour and disturbance of the Members then sitting; and according to their duty in a peaceable, and orderly manner, treating of the great affairs of *England*, and *Ireland*. And his Majestic having placed himself in the Speakers Chair, demanded of them the Persons of the said Members to be delivered unto him, which is a high Breach of the Rights and Priviledges of Parliament and Inconsistent with the Liberties, and Freedom thereof. And whereas afterwards his Majestic did issue forth severall Warrants to divers Officers, under his own hand, for the apprehension of the Persons of the said Members, which by Law he cannot do; there being not all this time, any Legall charge or accusation, or due Processe of Law issued against them, nor any pretence of charge made known to that House; all which are against the Fundamentall Liberties of the Subject, and the Rights of Parliament. Whereupon we are necessitated, according to our duty, to declare? And we do hereby declare that if any Person shall Arrest *M. Hollis*, Sir *Arthur Haslerigg*, *M. Pym*, *M. Hampden*, and *M. Strode*, or any of them, or any other Member of Parliament, by pretence or colour of any Warrant issuing out from the King only, is guilty of the Breach of the Liberties of the Subject, and of the Priviledge of Parliament, and a publike enemy to the Common-wealth. And that the Arresting of the said Members, or any of them, or of any other Member of Parliament, by any Warrant whatsoever, without a legall Proceeding against them, and without consent of that House, whereof such Person is a Member, is against the liberty of the Subject, and a Breach of Priviledge of Parliament; And the Person which shall Arrest any of these Persons, or any other Member of the Parliament, is declared a publike enemy of the Common-wealth. Notwithstanding all which we think fit, further to declare that we are so farre from any endeavours to protect any of our Members, that shall be in due manner prosecuted according to the Lawes of the Kingdom, and the Rights and Priviledges of Parliament for Treason, or any other misdemeanours, That none shall be more ready and willing then we our selves, to bring them to a speedy, and due tryall, being sensible that it equally imports us, as well to see Justice done against them that are Criminous, as to defend the just Rights and Liberties of the Subjects, and Parliament of *England*.

And whereas upon severall examinations taken the 7. day of this instant *January*, before the Committee appointed by the House of Commons, to sit in *London*, it did fully appear, that many souldiers, Papists, and others, to the number of about 500. came with His Majesty on Tuesday last, to the said House of Commons, armed with Swords, Pistolls, and other Weapons; and divers of them pressed to the door of the said House, thrust away the door Keepers, and placed themselves, between the said door and the ordinary attendants of his Majesty; holding up their Swords, and some holding up their Pistolls ready cock'd neer the said door; and saying, I am a good Marksman, I can hit right I warrant you, and they not suffering the said door, according to the custome of Parliament to be shut, but said they would have the door open, and if any opposition were against them, they made no question, but they should make their party good, and that they would maintain their party; and when severall Members of the House of Commons were coming into the house, their attendants desiring that Room might be made for them, some of the said Souldiers answered, A Pox of God confound them, and others said, A Pox take the house of Commons, let them come and be hanged, what a do is here with the house of Commons; and some of the said Souldiers did likewise violently assault, and by force disarm some of the Attendants, and servants of the Members of the house of Commons, waiting in the Room next the said house, and upon the Kings return out of the said house, many of them by wicked oathes, and otherwise, expressed much discontent, that some Members of the said house, for whom they came were not there, and others of them said, when comes the word, and no word being given at his Majesties coming out, they cryed a lane, a lane; afterwards some of them being demanded, what they thought the said company intended to have done, answered, That questionlesse in the posture they were set, if the word had been given, they should have fallen upon the house of Commons, and have cut all their throats. Upon all which we are of opinion, that it is sufficiently proved, that the coming of the said Souldiers, Papists, and others with his Majesty to the house of Commons on Tuesday last, being the fourth of this instant *January*, in the manner aforesaid, was to take away some of the Members of the said house; and if they should have found opposition, or denyall, then to have fallen upon the said house in a hostile manner. And we do hereby declare that the same was a traiterous designe against the King and Parliament. And whereas the said *M. Hollis*, Sir *Arthur Haslerigg*, *M. Pym*, *M. Hampden*, and *M. Strode*, upon report of the coming of the said Souldiers, Papists, and others in the warlike and hostile manner, aforesaid, did with the approbation of the house absent themselves from the service of the house, for avoiding the great, and many inconveniences, which otherwise apparantly might have hapned: Since which time a printed paper in the form of a Proclamation, bearing date the sixth day of this instant *January*, hath issued out for the apprehending, and imprisoning of them, Therein suggesting that through the conscience of their own guilt, they were absent and fled not willing to submit themselves to Justice; We do further declare that the said printed paper is false, scandalous and illegall, and that notwithstanding the said printed paper, or any warrant issued out, or any other matter yet appearing against them; or any of them, they may and ought to attend the service of the said house of Commons, and the severall Committees now on foot. And that it is lawfull for all persons whatsoever to lodge, harbour or converse with them, or any of them; And whosoever shall be questioned for the same, shall be under the protection and priviledge of Parliament.

And we do further declare, That the publishing of severall Articles purporting a form of a charge of high Treason against the Lord *Kimbolton*, one of the Members of the Lords house, and against the said, *M. Hollis*, Sir *Arthur Haslerigg*, *M. Pym*, *M. Hampden*, and *M. Strode*, by Sir *William Killigrew*, Sir *William Flemen*, and others in the Inns of Court, and elsewhere in the Kings Name, was a high Breach of the Priviledge of Parliament, a great scandall to his Majestic and his Government: A seditious Act manifestly tending to the subversion of the Peace of the Kingdom, and an injury, and dishonour to the said Members, there being no legall charge or accusation against them.

That the priviledges of Parliament, and the liberties of the Subject so violated and broken, cannot be fully and sufficiently vindicated, unlesse his Majesty will be graciously pleased, to discover the names of those persons, who advised his Majesty to issue out Warrants, for the sealing of the Chambers, and Studies of the said members, to send a Serjeant at Arms to the house of Commons, to demand their said Members, to issue out severall Warrants under his Majesties own hand, to apprehend the said members. His Majesties coming thither, in his own Royall Person. The publishing of the said Articles, and printed paper in the form of a Proclamation against the said Members in such manner as is before declared; To the end that such persons may receive condigne punishment.

And this house doth further declare, That all such persons as have given any Councell, or endeavoured to set or maintain division or dislike, between the King and Parliament, or have listed their names, or otherwise entred into any combination or agreement, to be ayding, or assisting, to any such councell or endeavour, or have perswaded any other so to do, or that shall do any the things above mentioned; And shall not forthwith discover the same to either house of Parliament: Or the Speaker of either of the said houses respectively, and disclaim it, are declared publike enemies of the State and Peace of this Kingdome, and shall be inquired of, and proceeded against accordingly.

Die Lunæ 17. Januarii. 1641. It is this day ordered, By the Commons Assembled in Parliament, that this Declaration shall be forthwith published in Print.

Hen. Elsing. Cler. Parl. De Com.

London, Printed for Joseph Hunscot. 1642.